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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,626	08/01/2003	Sen-Jung Chen	B-5197 621154-4	4752
36716	7590	08/27/2004	EXAMINER	
LADAS & PARRY 5670 WILSHIRE BOULEVARD, SUITE 2100 LOS ANGELES, CA 90036-5679			STEWART, ALVIN J	
			ART UNIT	PAPER NUMBER
			3738	

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/632,626	CHEN, SEN-JUNG	
	Examiner	Art Unit	
	Alvin J Stewart	3738	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Gramnäs
US Patent 6,123,732.

Gramnäs discloses an artificial limb comprising a prosthetic upper limb part (5), a prosthetic lower limb part (2), an upper connecting piece (4), a lower connecting piece (8), a locking member (28), a hollow cylindrical upper end (14), a slide slot (27), projections (17) and a vertical slot (16). The connecting pieces permit relative movement in a transverse direction (see Figs. 6a-6c).

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Slemker et al US Pub. 2004/0059433 A1.

Slemker et al discloses an artificial limb comprising a prosthetic upper limb part (16), a prosthetic lower limb part (42), an upper connecting piece (86 & 78), a lower connecting piece (44), a locking member (102), and a slide slot (75). The connecting pieces permit relative movement in a transverse direction (see Fig. 4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gramnäs US Patent 6,123,732 in view of Shorter et al US Patent 4,463,459.

Gramnäs discloses the invention substantially as claimed. However, Gramnäs does not disclose an upper connecting piece that has a serrated horizontal bottom surface and a bottom connecting piece that has a serrated horizontal upper surface.

Shorter et al disclose a leg prosthesis comprising an upper connecting piece that has a serrated horizontal bottom surface and a bottom connecting piece that has a serrated horizontal upper surface (see elements 19 & 20 in Fig. 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the lower and upper surfaces of elements 4 and 8 of the Gramnäs reference in order to obtain a tight connection between the two structure elements and avoid accidental separation.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Slemker et al US Pub. 2004/0059433 A1 in view of Meyer et al US Pub. 2003/0065403 A1.

Slemker et al discloses the invention substantially as claimed. However, Slemker et al does not disclose a tongue extending from the bottom surface of the upper limb.

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Meyer et al discloses an adjustable connector assembly comprising two embodiments for connecting a prosthetic limb. Fig. 1 discloses a connector (18) having an adjustable tongue (15) connected to each other and Fig. 6 discloses a second embodiment comprising a connector (18) having an adjustable element (20') for connecting a tongue connected to a prosthetic device.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Slemker et al reference by changing the Slemker et al tongue element (87) with the hollow cylindrical lower end (36) as shown in Figures 1 and 6 of the Meyer et al reference in order to connect one prosthetic device with another.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin J Stewart whose telephone number is 703-305-0277. The examiner can normally be reached on Monday-Friday 7:00AM-5:30PM(1 Friday B-week off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott can be reached on 703-308-2111. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A. Stewart
Alvin J Stewart

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Primary Examiner

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August 24, 2004.